

08-11-00

A

NEW, CONTINUATION, DIVISIONAL OR  
CONTINUATION-IN-PART APPLICATION  
UNDER 37 C.F.R. §1.53(b)

Attorney Docket No. 0275S-000379

Express Mail Label No. EL 623 522 695

Date August 10, 2000

jc867 U.S. PTO

09/08/00

08/10/00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D. C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R §1.53(b) is a patent application for

## POWER TOOL LEVEL INDICATOR

identified by: ☐ First named inventor \_\_\_\_\_  
or ☒ Attorney Docket No. (see above)

## 1. Type of Application

☒ This application is a new (non-continuing) application.

☐ This application is a ☐ continuation / ☐ divisional / ☐ continuation-in-part of prior application No. \_\_\_\_\_. Amend the specification by inserting before the first line the sentence:

--This is a [continuation/division/continuation-in-part] of United States patent application No. \_\_\_\_\_, filed \_\_\_\_\_--

☐ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

If for some reason applicant has not requested a sufficient extension of time in the parent application, and/or has not paid a sufficient fee for any necessary response in the parent application and/or for the extension of time necessary to prevent the abandonment of the parent application prior to the filing of this application, please consider this as a Request for an Extension for the required time period and/or authorization to charge Deposit Account No. 02-2548 for any fee that may be due. THIS FORM IS BEING FILED IN DUPLICATE.

## 2. Contents of Application

a. Specification of fifteen pages;

- ☐ A microfiche computer program (Appendix);  
☐ A nucleotide and/or amino acid sequence submission;

☐ Because the enclosed application is in a non-English language, a verified English translation ☐ is enclosed ☐ will be filed.

☐ Cancel original claims \_\_\_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing date purposes.)

b. ☒ Drawing Figures 1 through 5 on three (3) sheets;

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- c. ☒ A signed Oath/Declaration ☒ is enclosed / ☐ will be filed in accordance with 37 C.F.R. §1.53(f).

The enclosed Oath/Declaration is ☒ newly executed / ☐ a copy from a prior application under 37 C.F.R. §1.63(d) / ☐ accompanied by a statement requesting the deletion of person(s) not inventors in the continuing application.

d. **Fees**

<b>FILING FEE</b>	Number		Number		Rate		Basic Fee
<b>CALCULATION</b>	Filed		Extra				\$690.00
Total Claims	24	- 20 =	4	x	\$18.00	=	72.00
Independent Claims	2	- 3 =	0	x	\$78.00	=	00.00
Multiple Dependent Claim(s) Used					\$260.00	=	
FILING FEE - NON-SMALL ENTITY							762.00
FILING FEE - SMALL ENTITY: Reduction by 1/2							
<input type="checkbox"/> Verified Statement under 37 C.F.R. §1.27 is enclosed.							
<input type="checkbox"/> Verified Statement filed in prior application.							
Assignment Recordal Fee (\$40.00)							40.00
37 C.F.R. §1.17(k) Fee (non-English application)							
<b>TOTAL</b>							<b>802.00</b>

- ☐ A check is enclosed to cover the calculated fees. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to Deposit Account No. 02-2548. A duplicate copy of this document is enclosed.

- ☐ The calculated fees will be paid within the time allotted for completion of the filing requirements.

- ☒ The calculated fees are to be charged to Deposit Account No. 02-2548. The Commissioner is hereby authorized to charge any additional fees that may be required, or credit any overpayment, to said Deposit Account. A duplicate copy of this document is enclosed.

3. **Priority Information**

- ☐ **Foreign Priority:** Priority based on \_\_\_\_\_ Application No. \_\_\_\_\_, filed \_\_\_\_\_, is claimed.

- ☐ A copy of the above referenced priority document ☐ is enclosed / ☐ will be filed in due course, pursuant to 35 U.S.C. §119(a)-(d).

- ☐ **Provisional Application Priority:** Priority based on United States Provisional Application No. \_\_\_\_\_, filed \_\_\_\_\_, is claimed under 35 U.S.C. §119(e).

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4. **Other Submissions**

☐ A Preliminary Amendment is enclosed.

☐ An Information Disclosure Statement, \_\_\_\_\_ sheet of PTO Form 1449, and \_\_\_\_\_ patent(s)/publications/documents are enclosed.

☒ A power of attorney

☒ is submitted ☒ with the new Oath/Declaration.

☐ is of record in the prior application and ☐ is in the original papers / ☐ a copy is enclosed.

☒ An Assignment of the invention

☒ is enclosed with a cover sheet pursuant to 37 C.F.R. §§3.11, 3.28 and 3.31.

☐ is of record in a prior application. The assignment is to \_\_\_\_\_, and is recorded at Reel \_\_\_\_\_, Frame(s) \_\_\_\_\_.

☐ An Establishment of Assignee's Right To Prosecute Application Under 37 C.F.R. §3.73(b), and Power Of Attorney is enclosed.

☒ An Express Mailing Certificate is enclosed.

☐ Other: \_\_\_\_\_  
\_\_\_\_\_

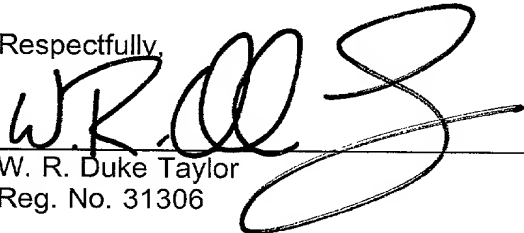
Attention is directed to the fact that the correspondence address for this application is:

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Dated: August 10, 2000

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Respectfully,

  
\_\_\_\_\_  
W. R. Duke Taylor  
Reg. No. 31306

**HARNES, DICKEY & PIERCE, P.L.C.**

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Date: August 10, 2000

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**EXPRESS MAILING CERTIFICATE**

Applicant: Alfred H. Judge

Serial No. (if any):

For: **POWER TOOL LEVEL INDICATOR**

Docket: 0275S-000379

Attorney: W. R. Duke Taylor

"Express Mail" Mailing Label Number .....

EL 623 522 695 US

Date of Deposit .....

August 10, 2000

I hereby certify and verify that the accompanying **Transmittal letter (in duplicate); 15-Page Patent Application with 2-page signed Declaration and Power of Attorney; three sheets of Drawings showing Figures 1-5; Cover Sheet for Recordal of Document (in duplicate); and Assignment** are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to BOX PATENT APPLICATION, Assistant Commissioner for Patents, Washington, D.C. 20231.



Karen M. Galbraith

## POWER TOOL LEVEL INDICATOR

### Background and Summary of the Invention

The present invention relates to power tools and, more particularly, to a leveling device that indicates when the power tool is in a horizontal or vertical plane.

In various types of power tools, especially drilling tools, it is desirable to know  
5 when the tool is in a horizontal or vertical plane. This is particularly useful when drilling holes for hanging doors or the like when it is desirable to have holes which are in plane with horizontal.

Bubble type of levels have been utilized in power tools. However, these types of leveling devices have various shortcomings. While the bubble level works  
10 satisfactorily for horizontal applications, it is still burdensome on the user to view the bubble in between the lines. Ordinarily, these bubble types of levels are not conducive for vertical drilling. Also, due to the vibration of the tool, frothing occurs inside the level, rendering the bubble level useless in many applications.

Another type of measuring device utilizes a simple pendulum with a rigid  
15 straight bar connecting the pivot point with a hanging weight together with a cross bar mounted at ninety (90°) degrees to a vertical bar. The cross bar can be disposed on either side of the pivot point when the pivot level is hung and the weight achieves equilibrium, the cross bar will be positioned in a horizontal plane. Accordingly, the ends may be aligned with two notches on a carrier board to align the board to the  
20 horizontal and thus measure the horizontal plane.

Both of these devices require the user to get an accurate view during drilling to maintain the plane of the power tool. Also, while these types of devices may be satisfactory for horizontal planes, they are not particularly useful when used in a vertical drilling arrangement.

Accordingly, it is an object of the present invention to provide a user with an easy to use leveling device. The device indicates to the user, usually by an illuminated light, that horizontal or vertical planes have been achieved. The present invention enables the user to readily establish visual contact to indicate that a desired plane has been achieved.

According to a first embodiment of the present invention, a mechanism for determining if a power tool is in a horizontal or vertical plane comprises a housing with a cavity in the housing. A rotating member is positioned within the housing. The rotating member moves in the cavity such that the rotating member seeks an equilibrium position which corresponds to a horizontal or vertical plane. Electrical contacts are coupled with the rotating member such that the electrical contacts only complete an electrical circuit when the rotating member is in the equilibrium position. An indicator is electrically coupled with the electrical contacts to indicate to the user when the mechanism is in an equilibrium position. A power source is electrically coupled with the electrical contacts and the indicator to energize the indicator when the circuit is complete. The rotating member may be fixed for rotation about a central axis in a cylindrical cavity in the housing. Here, the rotating member includes a biased electrical contact. The electrical contacts include a pair of annular members coupled with the housing. Each annular member includes electrical contact portions spaced ninety (90°) degrees from one another. Thus, as the rotating member reaches the equilibrium position, the rotating member's biased electrical member contacts the annular ring electrical contact portions to complete the circuit and activating the indicator. Alternatively, the rotating member could be manufactured from an electrical conductive material. Here, the rotating member is cylindrical and has at least one projecting member. The electrical contacts include a biased member to electrically contact the at least one projecting member when the cylindrical rotating member is in

the equilibrium position. An axle projects through the cylindrical rotating member to complete the circuit. Alternatively, the cavity may be defined by a pair of opposing conductive conical members acting as the electrical contacts. Here, the rotating member includes a pair of conductive balls. The opposing conductive cylindrical members are separated by a non-conductive membrane. The membrane includes apertures positioned at ninety (90°) degrees apart from one another about a circle. The balls contact one another through the apertures in the membrane when the balls are in the equilibrium position to complete the circuit and activate the indicator.

In accordance with a second embodiment of the present invention, a power tool comprises a housing with a motor within the housing. The motor is coupled with an output. An activation member is coupled with a power source which, in turn, is coupled with the motor. The activation member is activated which, in turn, energizes the motor to drive the output. A leveling mechanism is coupled with the housing. The leveling mechanism comprises a housing with a cavity in the housing. A rotating member is positioned within the housing. The rotating member moves in the cavity such that the rotating member seeks an equilibrium position which corresponds to a horizontal or vertical plane. Electrical contacts are coupled with the rotating member such that the electrical contacts only complete an electrical circuit when the rotating member is in the equilibrium position. An indicator is electrically coupled with the electrical contacts to indicate to the user when the mechanism is in an equilibrium position. A power source is electrically coupled with the electrical contacts and the indicator to energize the indicator when the circuit is complete. The rotating member may be fixed for rotation about a central axis in a cylindrical cavity in the housing. Here, the rotating member includes a biased electrical contact. The electrical contacts include a pair of annular members coupled with the housing. Each annular member includes electrical contact portions spaced ninety (90°) degrees from one another.

Thus, as the rotating member reaches the equilibrium position, the rotating member's biased electrical member contacts the annular ring electrical contact portions to complete the circuit and activate the indicator. Alternatively, the rotating member could be manufactured from an electrical conductive material. Here, the rotating member is cylindrical and has at least one projecting member. The electrical contacts include a biased member to electrically contact the at least one projecting member when the cylindrical rotating member is in the equilibrium position. An axle projects through the cylindrical rotating member to complete the circuit. Alternatively, the cavity may be defined by a pair of opposing conductive conical members acting as the electrical contacts. Here, the rotating member includes a pair of conductive balls. The opposing conductive cylindrical members are separated by a non-conductive membrane. The membrane includes apertures positioned at ninety (90°) degrees apart from one another about a circle. The balls contact one another through the apertures in the membrane when the balls are in the equilibrium position to complete the circuit and activate the indicator.

Additional objects and advantages of the present invention will become apparent from the detailed description of the preferred embodiment, and the appended claims and accompanying drawings, or may be learned by practice of the invention.

## **Brief Description of the Drawings**

Figure 1 is a plan view of a drill with a leveling device in accordance with the present invention.

Figure 2 illustrates a perspective view with both housing halves.

Figure 3 is an exploded perspective view of a level indicator in accordance with the present invention.



Figure 4 is an exploded perspective view of a level indicator in accordance with the present invention.

Figure 5 is an exploded perspective view of an additional embodiment of a level indicator in accordance with the present invention.

## 5      Detailed Description of the Preferred Embodiment

Turning to the figures, Figure 1 illustrates a power tool in accordance with the present invention and is designated with the reference numeral 10. The power tool 10 is illustrated as a drill; however, any type of power tool such as a screwdriver, sander, rotary tool, clippers, saw or the like can be utilized with the level indicator in accordance with the present invention. The power tool 10 includes a housing 12 which includes two halves 14 and 16, which surround a motor 18. An activation member 20 is coupled with the motor 18 as well as with a power source 22. The power source 22 may be a power cord (AC current) or the power tool may have a battery (DC current) as shown. The motor 18 is coupled with an output 24 which may include a transmission 26 and a chuck 28 to retain a tool (not shown) with the drill.

Looking at housing half 14 in Figure 2, a level indicator is shown and designated with the reference numeral 30. The level indicator 30 has wires 32 and 34 extending therefrom. Wire 32 extends down and is coupled with the battery 22, and wire 34 extends up to indicator LEDs 38 and 40 with wire 42 leading back to the battery 22. LED 38 is positioned on top of the drill housing 12, while LED 40 is positioned at the rear of the drill. Both the indicator lights illuminate light when the drill is in a horizontal plane and vertical plane, respectively. Thus, the lights 38, 40 can be seen by the user when the drill is in several different orientations.

Turning to Figure 3, an exploded view of the level indicator 30 is shown. The level indicator 30 includes a housing 50 which defines a cylindrical cavity 52.

Positioned within the cavity 52 is a rotatable pendulum member 54. The pendulum member 54 is fixed about an axle 56. Accordingly, the pendulum member 54 rotates within the cylindrical cavity 52 about the axle 56. The pendulum member 54 is weighted such that the rotating pendulum member 54 always seeks an equilibrium position. The pendulum 54 has an overall D-shape At the bottom of the curved portion, the rotating pendulum member includes a bore 58. The bore includes a pair of conductive balls 60 and 62, on each side of the rotating pendulum member 54 as well as a conductive spring 64 biasing the balls 60 and 62 away from one another.

Electrical contact rings 66 and 68 are held at the sides of the cavity 52 by non-conductive shells 70 and 72 which enclose the cavity of the housing 50. The conductive rings 66 and 68 are coated with a non-conductive material such that portions 74 of the ring are exposed for conductive purposes. The portions 74 are spaced at ninety (90°) degree intervals about the ring. Also, the rings 66 and 68 are coupled with wires 32 and 34 to complete the electrical circuit.

In use, the rotating pendulum member 54 is capable of rotating about the axle 56 in a three hundred sixty (360°) degree circle in the housing cavity 52. As the drill is manipulated, the pendulum reaches an equilibrium position. When the drill is in a horizontal or vertical plane, the conductive balls 60 and 62 in the rotated pendulum member 54 contact a conductive portion 74 on rings 66 and 68. As this occurs, the LEDs 38 and 40 are illuminated. This indicates to the user that the drill is in a horizontal or vertical plane. Thus, the user may then utilize the drill with the knowledge that it is in a horizontal or vertical plane.

Turning to Figure 4, an additional embodiment of the present invention is shown. The elements that are the same are identified with the same reference numerals being primed.

The housing 50' includes a cylindrical cavity 52' for housing a rotating pendulum 54'. The pendulum 54' rotates on an axle 56'. The axle projects through a non-conductive shell 72'.

The pendulum 54' is a cylindrical body with a weighted portion 80 and external projecting members 82. The rotating pendulum member 54' is made from a conductive material. The weighting member 80 enables the rotating pendulum member 54' to seek an equilibrium position. The projecting members 82 extend from the cylindrical surface of the rotating pendulum member 54' to contact an electrical contact pin 84 in housing 50'. The contact pin 84 is coupled with a conductive leaf spring 86 which, in turn, is coupled with wire 32'. Also, the axle 56' is made from a conductive material which, in turn, has its end coupled with wire 34'.

In use, the rotating pendulum member 54' rotates about the axle 56' in a three hundred sixty (360°) degree circle. When the drill is in a horizontal or vertical plane, a projecting member 82 contacts pin 84. Axle 56', which is already coupled with wire 34', enables completion of the circuit when the projecting members 82 contact the pin 84. Thus, the circuit is complete when the rotating pendulum member 54' is in a horizontal or vertical plane. This is the only time that the projections contact the pin which, in turn, complete the circuit, illuminating LEDs 38 and 40 indicating to the user that the drill is in a desired horizontal or vertical plane.

Turning to Figure 5, an additional embodiment of the present invention is shown. In Figure 5, like elements will be identified with like numerals being double primed.

The leveling indicator 30" includes a housing 50". The housing includes two parts 90 and 92. Inside the non-conductive housing parts 90 and 92 are conductive cones 94 and 96. The conductive cones 94 and 96 are connected with wires 32" and 34" which, in turn, lead to the LEDs 38 and 40 as well as to battery 22". The rotating

members 54" include a pair of conductive balls. A membrane 100 is positioned between the cones 94 and 96. The membrane 100 includes apertures 102 which are positioned about an arc circle, ninety (90°) degrees apart.

When the level indicator 30" is utilized, the balls 54" rotate around the cones 94 and 96. The balls 54" seek an equilibrium position at the bottom of the cones when the drill is in a horizontal or vertical plane. When the drill is in a horizontal or vertical plane, the balls 54" are positioned in the cone wherein the balls, through apertures 102, contact one another. When the balls 54" contact one another, the conductive balls 54" are also in contact with the conductive cones 94 and 96, which complete the circuit, illuminating the LEDs 38 and 40. Thus, when the level indicator is in a horizontal or vertical position, the balls 54" contact one another through the apertures 102 in the membrane and complete the circuit.

While the above detailed description describes the preferred embodiment of the present invention, the invention is susceptible to modification, variation, and alteration without deviating from the scope and fair meaning of the subjoined claims.

**What is Claimed is:**

1. A mechanism to determine if a power tool is in a horizontal or vertical plane, comprising:

a housing, a cavity in said housing;

5 a rotating member in said housing, said rotating member moving in said cavity such that said rotating member seeks an equilibrium position which corresponds to a horizontal or vertical plane;

electrical contacts coupled with said rotating member, said electrical contacts only completing an electrical circuit when said rotating member is in said equilibrium position;

10 an indicator electrically coupled with said electrical contacts for indicating to a user when the mechanism is in an equilibrium position; and

a power source coupled with said electrical contacts and said indicator for energizing said indicator when said electrical circuit is complete.

2. The mechanism according to Claim 1, wherein said rotating member being fixed for rotation about a center axis in a cylindrical cavity in said housing.

3. The mechanism according to Claim 2, wherein said rotating member includes a biased electrical contact.

4. The mechanism according to Claim 2, wherein said electrical contacts being a pair of annular members coupled with said housing, each said annular member including electrical contact portions spaced ninety (90°) degrees from one another about a circle such that as said rotating member reaches said equilibrium position, said rotating member biased electrical member contacts said annular rings electrical contact portions completing the circuit and activating said indicator.

5. The mechanism according to Claim 2, wherein rotating member being manufactured from an electrically conducting material.

6. The mechanism according to Claim 5, wherein said rotating member being cylindrical with at least one projecting member.

7. The mechanism according to Claim 6, said electrical contacts including a biased member for electrically contacting said at least one projecting member when said cylindrical rotating member is in said equilibrium position and an axle at the center axis of said rotating member completing the circuit.

8. The mechanism according to Claim 1, said cavity defined by a pair of opposing conductive conical members acting as said electrical contacts.

9. The mechanism according to Claim 8, said rotating member comprising a pair of conductive balls.

10. The mechanism according to Claim 9, said opposing conductive conical members separated by a non-conductive membrane.

11. The mechanism according to Claim 10, wherein said membrane includes apertures positioned 90°, about a circle, apart from one another.

12. The mechanism according to Claim 11, wherein said balls contacts one another through said apertures when said balls are in said equilibrium position completing the circuit and activating said indicator.

13. A power tool comprising:

a housing;

a motor within said housing;

an output coupled with said motor;

5 an activation member for energizing said motor for rotating said output;

a power source electrically coupled with said motor and said activation member; and

a leveling mechanism comprising:

a housing coupled with said power tool housing;

10 a cavity in said housing;

a rotating member in said housing, said rotating member moving in said cavity such that said rotating member seeks an equilibrium position which corresponds to a horizontal or vertical plane;

electrical contacts coupled with said rotating member, said electrical contacts only completing an electrical circuit when said rotating member is in said equilibrium position;

15 an indicator electrically coupled with said electrical contacts for indicating to a user when the mechanism is in an equilibrium position; and

a power source coupled with said electrical contacts and said indicator

20 for energizing said indicator when the circuit is complete.

14. The power tool according to Claim 13, wherein said rotating member being fixed for rotation about a center axis in a cylindrical cavity in said housing.



15. The power tool according to Claim 14, wherein said rotating member includes a biased electrical contact.

16. The power tool according to Claim 14, wherein said electrical contacts being a pair of annular members coupled with said housing, each said annular member including electrical contact portions spaced ninety (90°) degrees from one another about a circle such that as said rotating member reaches said equilibrium position, said rotating member biased electrical member contacts said annular rings electrical contact portions completing the circuit and activating said indicator.

17. The power tool according to Claim 14, wherein rotating member being manufactured from an electrically conducting material.

18. The power tool according to Claim 17, wherein said rotating member being cylindrical with at least one projecting member.

19. The power tool according to Claim 18, said electrical contacts including a biased member for electrically contacting said at least one projecting member when said cylindrical rotating member is in said equilibrium position and an axle at the center axis of said rotating member completing the circuit.

20. The power tool according to Claim 13, said cavity defined by a pair of opposing conductive conical members acting as said electrical contacts.

21. The power tool according to Claim 20, said rotating member comprising a pair of conductive balls.

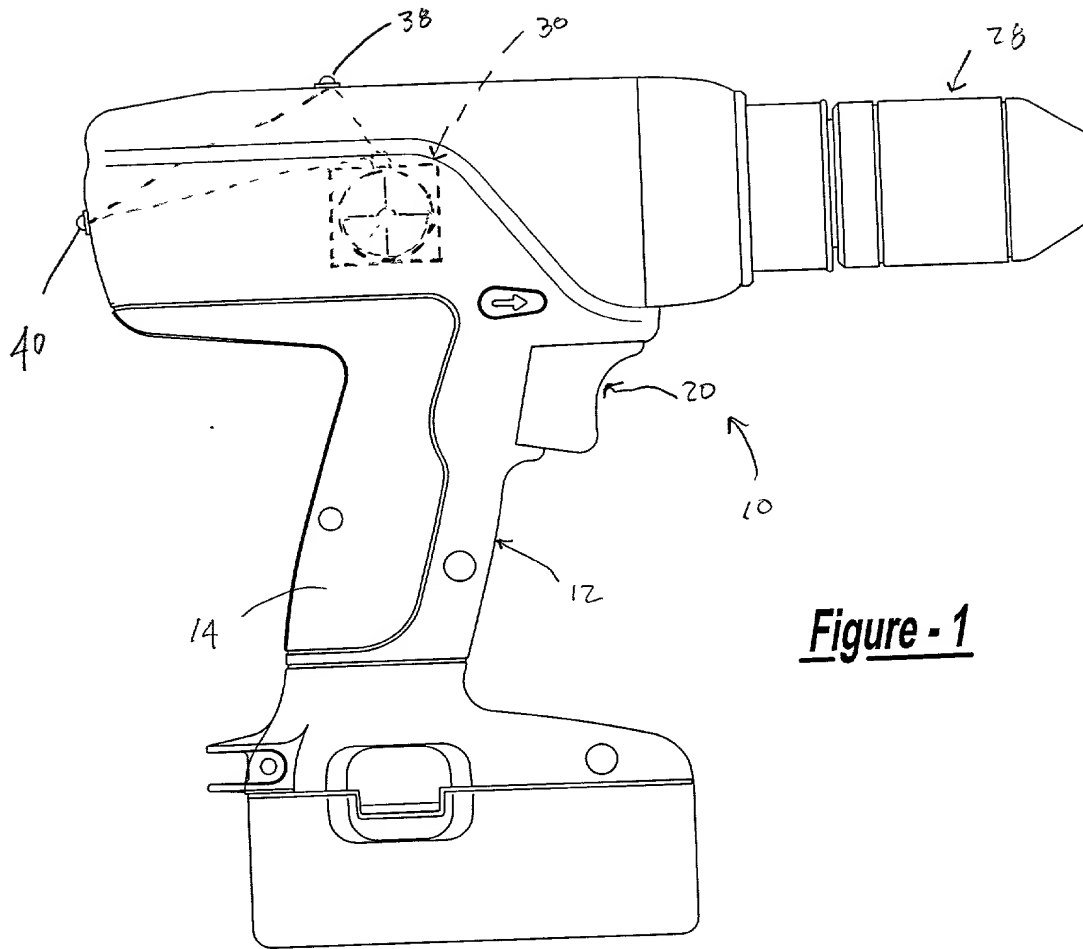
22. The power tool according to Claim 21, said opposing conductive conical members separated by a non-conductive membrane.

23. The power tool according to Claim 22, wherein said membrane includes apertures positioned 90°, about a circle, apart from one another.

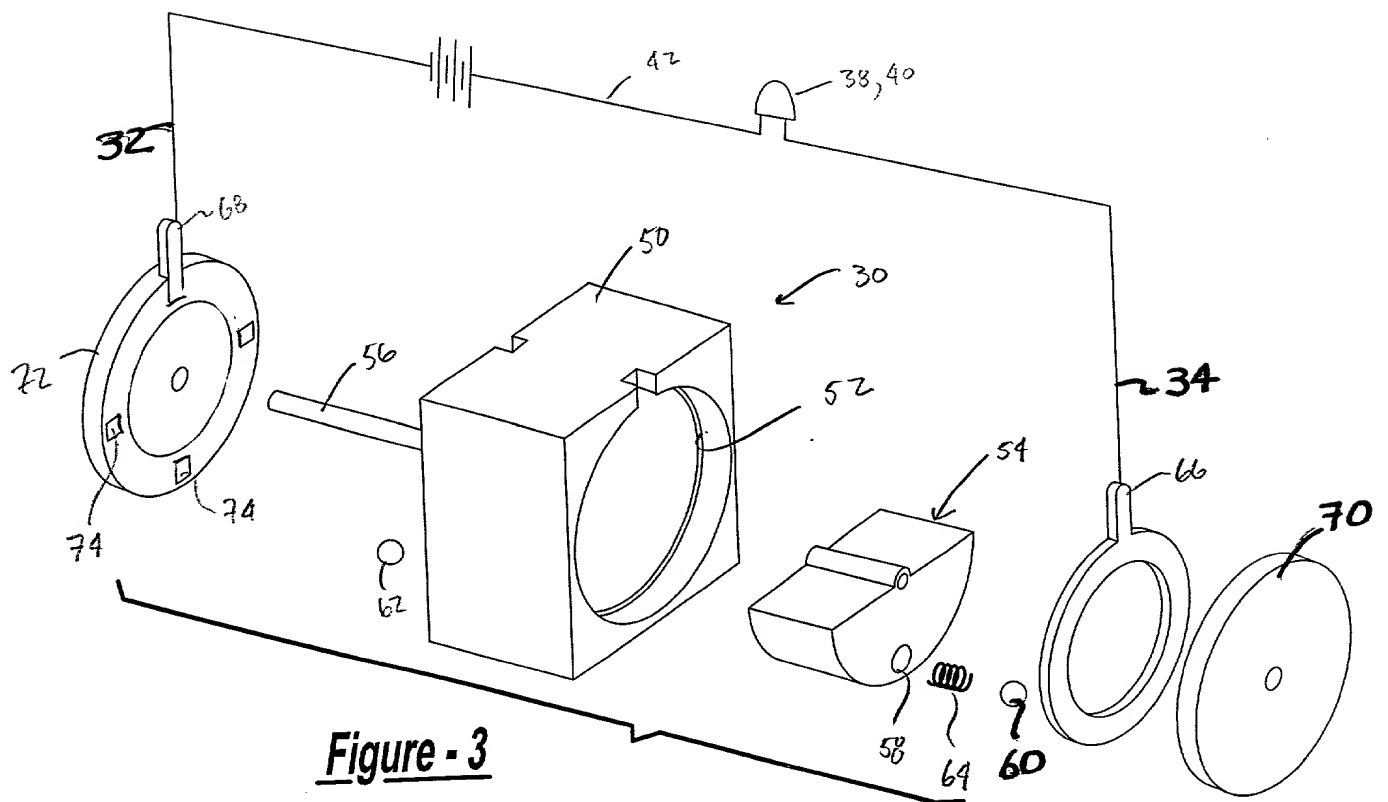
24. The power tool according to Claim 23, wherein said balls contacts one another through said apertures when said balls are in said equilibrium position completing the circuit and activating said indication.

## **Abstract of the Disclosure**

A power tool includes a leveling mechanism that determines horizontal or vertical planes of the power tool. The leveling mechanism has a housing with a cavity in the housing. A rotating member is in the housing. The rotating member moves in the cavity such that the rotating members seeks an equilibrium position. The equilibrium position corresponds to a horizontal or vertical plane. Electrical contacts are coupled with the rotating member such that the electrical contacts only complete an electrical circuit when the rotating member is in the equilibrium position. An indicator is electrically coupled with the electrical contacts to indicate to the user when the mechanism is in an equilibrium position. A power source is coupled with the electrical contacts and the indicator to energize the indicator when the circuit is complete.

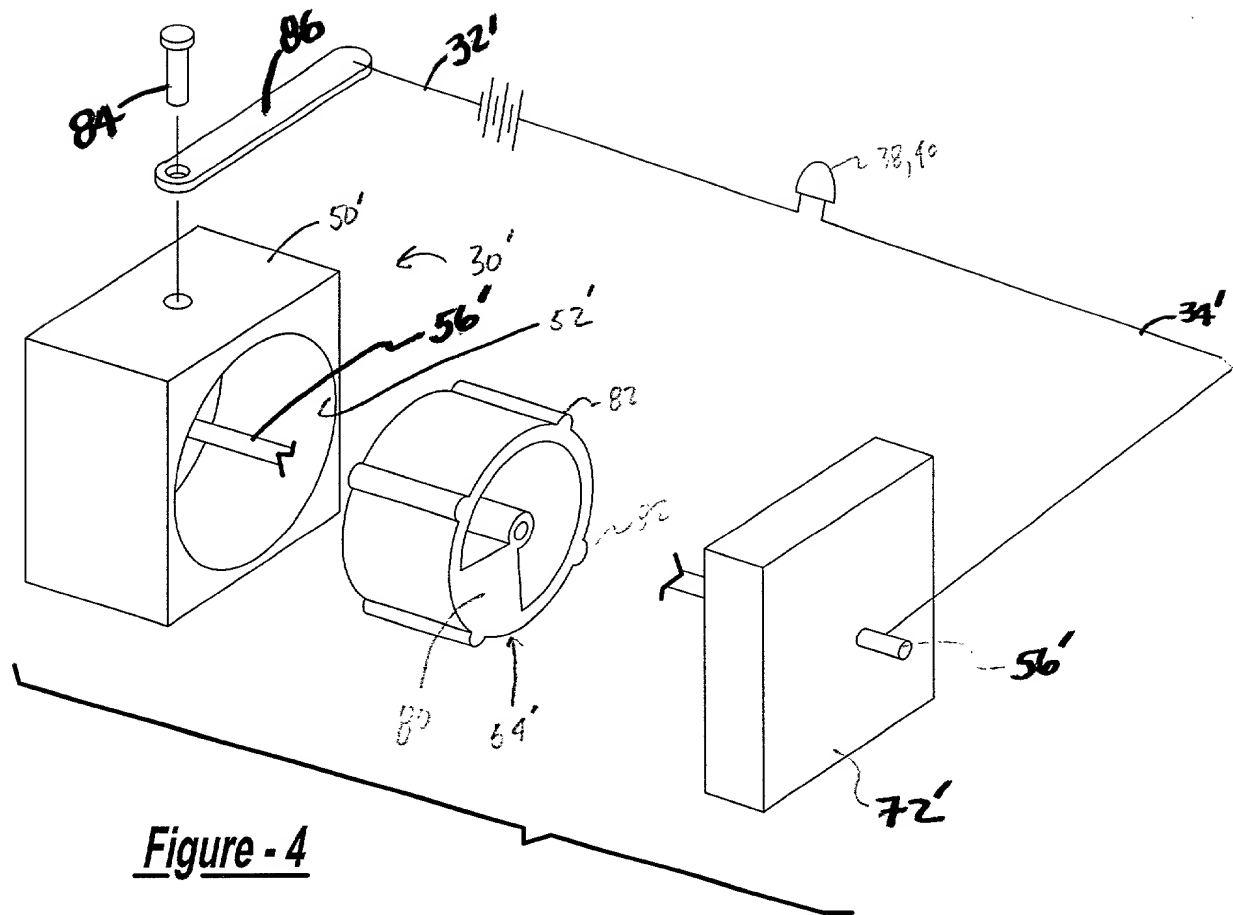


**Figure - 1**

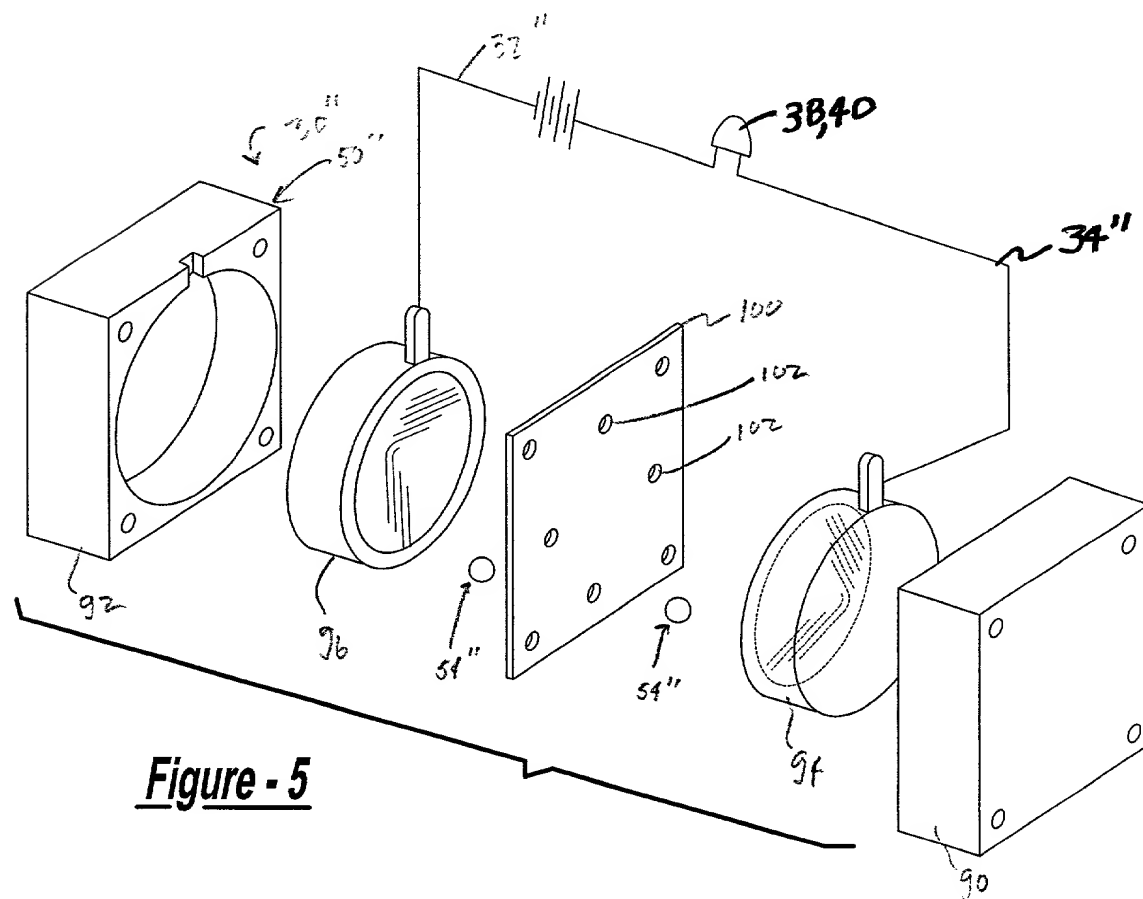


**Figure - 3**





**Figure - 4**



**Figure - 5**

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### POWER TOOL LEVEL INDICATOR

the specification of which (check one)

☒ is attached hereto.

☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

### PRIOR FOREIGN APPLICATION(S)

			Priority Claim	
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____
(Number)	(Country)	(Day/Month/Year filed)	Yes	No
_____	_____	_____	_____	_____

## DECLARATION AND POWER OF ATTORNEY

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States Provisional application(s) listed below:

### PRIOR PROVISIONAL APPLICATIONS

\_\_\_\_\_  
(application serial number)

\_\_\_\_\_  
(Month / Day / Year filed)

\_\_\_\_\_  
(application serial number)

\_\_\_\_\_  
(Month / Day / Year filed)

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status - patented, pending, abandoned
_____	_____	_____
_____	_____	_____
_____	_____	_____

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint Edward D. Murphy, Reg. No. 20625; Harold Weinstein, Reg. No. 20613; Charles E. Yocum, Reg. No. 30121; Bruce S. Shapiro, Reg. No. 33120; John D. Del Ponti, Reg. No. 24258; Ajay K. Gambhir, Reg. No. 44115; Michael P. Leary, Reg. No. 41144; and Richard J. Veltman, Reg. No. 36957 of The Black & Decker Corporation, 701 East Joppa Road, Towson, Maryland 21286, telephone (410) 716-3900; and Christopher M. Brock, Reg. No. 27313; W. R. Duke Taylor, Reg. No. 31306, and each principal, attorney of counsel, associate, and employee of Harness, Dickey & Pierce, P.L.C. who is a registered Patent Attorney, my attorney with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P. O. Box 828, Bloomfield Hills, Michigan 48303, telephone (248) 641-1600.

Full name of first or sole inventor: Alfred H. Judge

First Inventor's signature: *Alfred H. Judge*

Date: 8/8/2000

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Citizenship: United States of America

Post Office Address: Same as Residence